

BRYAN CAVE LLP
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Attorneys for Plaintiff,
La Quinta Franchising, LLC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT, SAN FRANCISCO

LA QUINTA FRANCHISING, LLC,
a Nevada limited liability company,

Plaintiff,

vs.

CORDELIA HOTEL VENTURE, INC.,
a California Corporation and DOLAT
PATEL, an individual,

Defendants.

Case No. C072556 JL

[Assigned to Magistrate Judge James
Larsen]

**SUPPLEMENTAL DECLARATION
OF JOEL SIEGEL IN SUPPORT OF
MOTION FOR DEFAULT JUDGMENT**

Date: October 17, 2007
Time: 9:30 a.m.
Dept: F

I, Joel Siegel, declare and state as follows:

1. I am an attorney, duly licensed to practice before the United States District Court Northern District, for the State of California. I am a partner of Bryan Cave LLP, attorneys for Plaintiff La Quinta Franchising, LLC ("La Quinta Franchising"). I submit this supplemental declaration in support of entry of default judgment against Defendants Cordelia Hotel Venture, Inc. and Dolat Patel at the request of the Court to clarify the issues of attorney's fees, costs and pre-judgment interest. This Declaration is based upon my personal knowledge, and if I were

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1 called as a witness, I could and would testify as set forth below.

2
3 **Attorney's Fees**

4 2. I have primary responsibility for the handling of this matter on
5 behalf of the Plaintiff. I have personally supervised and am familiar with the
6 preparation of the research, pleadings, motion and supporting evidence necessary to
7 obtain judgment in favor of Plaintiff in this action.

8 3. The billing entries for which we are seeking attorney's fees were
9 attached as Exhibit "1" to my declaration submitted with the Motion on August 20,
10 2007. That declaration outlined the billing rates for Heather Orr and me, since the
11 vast majority of the time spent preparing this matter was incurred by the two of us.
12 In addition to Heather Orr and me, the individuals that contributed to this action are
13 as follows:

14 (a) Glenn Plattner, a partner at Bryan Cave LLP whose billing rate is \$425 an
15 hour. Mr. Plattner oversaw the drafting of the Motion that we filed on August 20th
16 and prepared for and attended the hearing.

17 (b) Eliza Nichols, a former associate at Bryan Cave LLP whose billing rate
18 was \$305 an hour. Ms. Nichols aided in drafting the complaint, and prior to leaving
19 the firm was originally going to be the associate assisting me on the case. She was
20 replaced following her departure by Ms. Orr.

21 (c) Shelly C. Gopaul, a second year associate at Bryan Cave LLP whose
22 billing rate is \$250 an hour. Ms. Gopaul performed half an hour of legal research
23 prior to our filing the case on a date when Ms. Nichols was unavailable.

24 (d) Susan Gordan, a paralegal at Bryan Cave LLP whose billing rate is \$250
25 an hour, also assisted with the case. She aided in the preparation and service of the
26 original request for default submitted to the clerk and assisted with the files,
27 exhibits and other paralegal duties. Rachel Hernandez, a clerical assistant, assisted
28 on the redacting of the attorney billing summaries that we submitted. She spent .3

1 hours on this task at \$40 per hour.

2 (e) Karen Lasnik and Karol Howard, two Bryan Cave LLP law librarians,
3 performed factual and legal research during the course of this action. Their billing
4 rates are \$180 an hour and \$145 an hour, respectively. Karol Howard also assisted
5 with docketing the matter.

6 (f) Brian Cole is a senior franchise attorney at Bryan Cave LLP. He spent .3
7 hours consulting with me on specified franchise issues prior to filing the complaint.
8 His billing rate is \$410 per hour.

9 All of the above services were reasonable and necessary for this purpose and,
10 based upon my experience, I believe the fees are both reasonable and customary in
11 this community for provision of legal services in litigation of this nature. Based on
12 this, Plaintiff is requesting an award of \$22,414.00 in attorney's fees.

13

14 **Costs**

15 4. Plaintiff has requested \$1,822.82 in recoverable costs incurred in
16 this case. Those costs were broken down as follows:

17 (a) Initial Filing Fee: \$350.00

18 (b) Service Costs: \$647.20

19 (c) Photocopies/Postage/Telephone: \$176.82

20 (d) Westlaw/Lexis/Research charges: \$648.80

21

22 **Pre-Judgment Interest**

23 5. Pre-judgment interest was calculated pursuant to the Franchise
24 Agreement at 6% interest on the \$100,000 in liquidated damages owed to La Quinta
25 Franchising. This amounts to \$6,000 in pre-judgment interest per year or \$16.43
26 per day. My original declaration calculated the amount to be \$4,898.63 from the
27 thirty (30) days after the Franchise Agreement was terminated (October 8, 2006)
28 through August 1, 2007. The actual pre-judgment interest through the date of the

1 hearing (October 17, 2007) equals \$6,164.38. Plaintiff seeks this amount of pre-
2 judgment interest.

3 I declare under penalty of perjury of the laws of the United States of
4 America that the foregoing is true and correct.

5 Executed on October 22, 2007, at Santa Monica, California.

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8 Joel Siegel
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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 120 Broadway, Suite 300, Santa Monica, CA 90401-2305.

On October 22, 2007, I served the following documents on each interested party in this action, as follows:

**SUPPLEMENTAL DECLARATION OF JOEL SIEGEL IN SUPPORT
OF MOTION FOR DEFAULT JUDGMENT**

Dolat Patel
Cordelia Hotel Ventures, Inc.
5370 Clayton Road
Concord, CA 94521

☒ (BY MAIL) I placed a true copy of the foregoing document in a sealed envelope addressed to each interested party as set forth above. I placed each such envelope, with postage thereon fully prepaid, for collection and mailing at Bryan Cave LLP, Santa Monica, California. I am readily familiar with Bryan Cave LLP's practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, the correspondence would be deposited in the United States Postal Service on that same day in the ordinary course of business.

☒ (FEDERAL ONLY) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 22, 2007, at Santa Monica, California.



Dora Barnett

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